

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

DELORES HUDSON

§

v.

§

CIVIL ACTION NO. 9:11CV122

METHODIST AMBULATORY  
SURGICAL HOSPITAL, *et al.*

§

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed with prejudice for lack of subject matter jurisdiction, but without prejudice as to the filing of a complaint based upon the same facts in an appropriate state court. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that the complaint is **DISMISSED** with prejudice for lack of subject matter jurisdiction, but without prejudice to the filing of a complaint based upon the same facts in an appropriate state court. Any motion not previously ruled on is **DENIED**.

So **ORDERED** and **SIGNED** this **19** day of **September, 2011**.



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Ron Clark, United States District Judge